

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BILLY R. WILLIAMS,	:	
	:	
Plaintiff,	:	Civil Action No. 03-239E
	:	
vs.	:	Hon. Maurice B. Cohill, Jr.
	:	
	:	
PENNSYLVANIA STATE POLICE, AN	:	
AGENCY OF THE COMMONWEALTH	:	
OF PENNSYLVANIA,	:	
	:	Electronically Filed
Defendant.	:	

**PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE EVIDENCE RELATING
TO THE EEOC AND PHRC INVESTIGATIONS AND DETERMINATIONS PURSUANT
TO RULES 401-403 AND 802 OF THE FEDERAL RULES OF EVIDENCE**

AND NOW, comes Plaintiff, Billy Williams, by and through his counsel of record, Neal A. Sanders, Esquire, and Dirk D. Beuth, Esquire, of the Law Offices of Neal A. Sanders, and files the following Motion in Limine to Exclude Evidence Relating To The EEOC And PHRC Investigations and Determinations Pursuant To Rules 401-403 And 802 Of The Federal Rules Of Evidence:

1. In this action, Plaintiff has asserted claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e et seq. against the Defendant. Specifically, Plaintiff claims that the Defendant subjected him to a hostile environment because of his race and that the Defendant discriminated against him because of his race when it transferred him in September 2000

and January 2001 to less prestigious positions with substantially different material responsibilities.

2. Prior to bringing this action, Plaintiff timely exhausted his administrative remedies with the Equal Employment Opportunity Commission (EEOC).

3. By letters dated April 14, 2003, May 5, 2003, and October 6, 2003, the EEOC and PHRC issued the following determinations on a form letter:

Based upon the Commissions investigation, the Commission is unable to conclude that the information obtained establishes violations of the statutes.

4. Plaintiff believes that the Defendant intends to introduce the EEOC and PHRC determination letters or evidence pertaining to this determination at the trial of this matter to support its contention that the decisions, actions, and omissions in question were not motivated by discriminatory animus.

5. For the reasons set forth in the supporting brief, filed contemporaneously herewith, the EEOC and PHRC determination letters and any evidence relating thereto should be excluded under Rules 401-403 and 802 of the Federal Rules of Evidence.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant Plaintiff's Motion in Limine and Exclude the April 14, 2003, May 5, 2003, and October 6, 2003 EEOC and PHRC determination letters and any evidence relating to the administrative investigations and determinations.

Respectfully submitted,

LAW OFFICES OF NEAL A. SANDERS

Dated: November 29, 2007

By: /s/Neal A. Sanders
Neal A. Sanders, Esquire
PA ID NO. 54618
Co-Counsel for Plaintiff,
Billy R. Williams

By: /s/Dirk D. Beuth
Dirk D. Beuth, Esquire
PA ID NO. 76036
Co-Counsel for Plaintiff,
Billy R. Williams

Law Offices of Neal A. Sanders
1924 North Main Street Ext.
Butler, Pennsylvania 16001

(724) 282-7771